

STATE OF ARKANSAS
ARKANSAS EMERGENCY OPERATIONS PLAN
ANNEX O: HAZARDOUS MATERIALS
ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

I. PURPOSE

The primary objective of the Arkansas Department of Environmental Quality (ADEQ) is to prevent, control, and abate contamination of water, air, and land resources resulting from natural or manmade acts.

ADEQ shall provide advice, expertise, and, as necessary, assistance in the protection of the health, safety, and welfare of the citizens of Arkansas and their environment. The purpose of this annex is to define in a written concept ADEQ's mission in emergency situations that require the activation of the Emergency Operations Plan.

II. SITUATIONS AND ASSUMPTIONS

A. Situations

The Department of Environmental Quality will exercise its primary authority to prevent, abate, and control pollution of natural resources by establishing the necessary standards and providing expertise and assistance in cleanup efforts. Secondary responsibilities will be according to the functions listed below and will supplement resources of local governments and the private sector.

FUNCTION	ANNEX
Situation and Intelligence Reporting	A
Emergency Public Information	H
Disaster Training and Education	H
Engineering Services	J
Preliminary Damage Assessment	G
EOC Operations	H

B. Assumptions

1. The following federal and local agencies have support roles and may provide assistance:
 - (a) United States Environmental Protection Agency (EPA), Region VI
 - (b) National Weather Service
 - (c) U.S. Army Corps of Engineers
 - (d) U.S. Coast Guard

- (e) National Chemical Response and Information Center (NCRIC)
 - (f) Chemical Manufacturers' Association
 - (g) Department of Labor - Occupational Health and Safety Administration (OSHA)
 - (h) Federal Emergency Management Agency (FEMA), Region VI
 - (i) Regional Response Team (RRT)
 - (j) Arkansas National Guard, 61st Civil Support Team
 - (k) Department of Homeland Security
2. Full cooperation of local governments and volunteer agencies to cope with a disaster is assumed.
 3. An up-to-date emergency operations plan is assumed to be in existence at the local government level.

III. CONCEPT OF OPERATIONS

A. General

The Department's Emergency Response Coordinator (ERC) will coordinate communication and responses with other appropriate agencies, local government, and responsible parties as necessary. The ERC is responsible for assessing the level of response by other Department personnel and coordinating the agency's response activities.

The Department Director is a member of the State Hazardous Materials Emergency Commission and, on a rotating basis, serves as chairman. The HMERC serves as the contact for emergency notification to the state level under Title III of the Superfund Amendment and Reauthorization Act (SARA) of 1986.

The notifications of hazardous materials releases and threshold planning quantities are made through the Arkansas Department of Emergency Management at Conway.

All hazardous material or natural disasters which in the opinion of the coordinator require a response by ADEQ personnel will be assigned a unique Emergency Response number for documentation and cost accounting. The ERC will assign the Emergency Response number and initiate such appropriate logs and files that will be maintained by Management Services' Emergency Response Section.

Direction and control of the Department's response depends upon the needs created by the situation. Since the Department does not maintain dedicated response personnel, an on-call roster of Central Office field inspectors will be maintained for response to central Arkansas situations. Other district field personnel will be alerted as needed by the ERC.

As a separate component of the emergency response actions, the Department's Liaison Officer will coordinate with ADEM and other agencies to provide assistance in planning, training, and reporting activities.

B. Phases of Emergency Management

1. Mitigation

The Department of Environmental Quality is responsible for the permitting of all normal facility releases to the environment. This serves as an avenue to mitigate any impact that they might have. These permits include clauses that cause the facility to immediately notify the Department in case of a release above the permit limits for advance warning of possible endangerment of people or environment.

Transportation of hazardous materials is a continuing problem. The incidents that do occur can only be mitigated or prevented by the transporters themselves adopting more stringent standards for drivers and equipment and by thorough enforcement of existing regulations by the proper regulatory agencies.

2. Preparedness

The Department is prepared to provide expertise, assistance, advice or enforcement authority as needed in any situation, as we are capable. We have manpower for damage assessment, to examine the extent of contamination and perform other functions. We are prepared to aid and coordinate efforts with other agencies in the event of a disaster, either natural or man-made, as our capabilities allow.

3. Response

The Department's graduated response actions will fall into four categories depending upon the severity of the incident.

Level I - A situation requiring coordination by the ERC with other agencies, local governments, and responsible parties as appropriate.

Level II - A situation requiring general reconnaissance and possibly on-site assessment by District Inspectors. If directed by the ERC, District Inspectors will go to the scene and provide assessment of potential threat to the environment resulting from the incident.

The ERC and the District Inspector (as necessary) may make recommendations to the On-Scene Coordinator (OSC) concerning prevention, control, and abatement actions which may be undertaken to protect the environment.

Level III - A situation requiring on-scene assessment by technical staff of the Department from one or more Divisions. Such assistance shall be provided to the OSC directly and relayed to the ERC.

Level IV - A situation requiring prolonged reassignment of personnel to recommend appropriate monitoring and prevention, control, and abatement of contamination of natural resources.

The ERC is responsible for coordinating Level I and II responses. The Chief Deputy Director and Director will be responsible for coordinating and assigning personnel to Level III and IV responses, respectively.

In responding to hazardous materials incidents, the Department's highest priorities are for accurately assessing the situation and then recommending appropriate prevention, containment, and abatement measures.

In emergency situations the Department has limited funds to contract for containment and abatement measures. The use of such funds imposes a liability on responsible parties. The ERC and Chief Deputy Director are responsible for careful and complete documentation of expenses to support cost recovery and other legal actions.

4. Recovery

In the aftermath of a hazardous materials incident the Department of Environmental Quality will do damage assessments on the environment, if necessary, and aid in the recovery process. In the event of a serious disaster, either natural or man-made, the Department will aid other agencies in the assessment of damage, as necessary.

IV. ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES

1. The ADEQ includes 13 divisions, which are divided into environmental regulatory groups and service groups. The regulatory divisions are Water, Air, Solid Waste, Hazardous Waste, Regulated Storage Tank and Mining. The service divisions are Fiscal Division, Customer Services, Computer Services, Environmental Preservation, Management Services, Technical Services and the Legal Division.

There are twelve field offices around the state where inspectors are stationed. These inspectors are responsible for inspection of all permitted industrial, commercial, municipal and agricultural facilities and also respond to citizens' complaints and to emergency incidents, as necessary. Tab 2 contains an Organizational Chart of the ADEQ. Tab 3 contains a map and telephone numbers for the ADEQ field offices.

The following agencies will provide support, as necessary:

- (a) Arkansas Department of Emergency Management (ADEM)--The ADEM will coordinate local, state and federal resources, as required, to assist the ADEQ in its disaster-related activities.
- (b) Arkansas State Police (ASP)--The ASP will provide traffic control, when necessary, for pollution control activities on or near public thoroughfares. It may also provide assistance and support through the State Fire Marshal relating to flammable liquid storage tanks.
- (c) Arkansas Highway and Transportation Department (AHTD)
 - (1) The AHTD will provide assistance to the ASP in traffic control and will provide signs and barricades to protect ADEQ personnel or contract personnel working spills on or near public thoroughfares.
 - (2) The AHTD may provide equipment and/or support to cover or contain spills.
 - (3) The AHTD Highway Police (AHP) may supplement support by the ASP.
- (d) Arkansas Game and Fish Commission--Will provide men and equipment, as available, to assist ADEQ personnel in investigating and/or containing spills threatening aquatic, wildlife, and/or natural resources of the state.
- (e) Department of Health (ADH)--The ADH will respond to any spill of hazardous material that is a threat to the life, health, or welfare of the people. It will cooperate with and assist ADEQ personnel to mitigate effects of spills into the environment.

- (f) Civil Air Patrol (CAP)--The CAP may provide support in rapid transport of spill samples for lab analysis and/or provide aerial surveillance (IR or Visual) over impact areas.
- (g) Arkansas Forestry Commission (AFC)--This agency has some specialized equipment and trained personnel for suppressing large outdoor fires and can assist with protection of natural habitat, both public and privately owned.
- (h) A number of private non-profit organizations, including but not limited to the American Red Cross, also can assist with prolonged natural or man-made emergencies by providing medical aid and other necessities for those impacted by the event as well as those who are working to mitigate the situation.

V. DIRECTION AND CONTROL

A. General Responsibilities

- 1. During peacetime emergencies, the Department Director or his designated representative will exercise direction and control for the Department.
- 2. During wartime emergencies, the Department Director or his designated representative will exercise direction and control from the State EOC at Conway.

VI. CONTINUITY OF GOVERNMENT

For the purpose of this plan, the Department's chain of command in a declared emergency situation is as follows:

- (a) Director
- (b) Chief Deputy Director
- (c) Deputy Director
- (d) Technical Services Division Chief
- (e) Emergency Response Coordinator

VII. ADMINISTRATION AND LOGISTICS

A. Records

Reports and records are maintained in Management Services by the Emergency Response Section Coordinator. They will be maintained at the Department for a period of not less than three years, after which they will be stored in archives indefinitely.

B. Communications

- 1. The 24-hour radio communication system of the ADEM is the Department's primary means of coordination in certain Level II, III, and IV incidents. Telephones, computers, fax, cell phones and messengers can be used widely for communication with other agencies, local governments and responsible parties in most cases.

Large incidents requiring federal government intervention may be communicated to the Regional Response Team via computer communications.

2. Along with handling routine and emergency operations traffic, ADEM has been designated as the agency to receive notice of upset conditions from certain industrial facilities, primarily during off-duty hours.

The report of upset conditions serves to alert the Department to potential problems involving the environment and public health and safety or it may dictate the level of response by ADEQ. Notices received will be forwarded to the ADEQ's Emergency Response Coordinator.

3. Increased Readiness Information System (IRIS) reporting will be submitted in accordance with Arkansas EOP, Annex A. The Department's Liaison Officer is responsible for submitting this report to the state Emergency Operations Center (EOC).
4. Peacetime disaster reports will be submitted in accordance with instructions in Annex A, Arkansas EOP. The ADEQ's Emergency Services Liaison Officer or his representative is responsible for submitting the situation report to the state EOC.

C. Memorandum of Understanding

Currently, ADEQ and the Department of Health maintain a Memorandum of Understanding regarding the coordination of response efforts between the two agencies. This memorandum is included in Tab 1.

VIII. PLAN DEVELOPMENT AND MAINTENANCE

A version of this plan is currently in use by ADEQ. Any revisions made by this document will be implemented upon approval by the Arkansas Department of Emergency Management and the Federal Emergency Management Agency. This plan will be reviewed periodically, at least annually, and will be amended as necessary.

IX. AUTHORITIES AND REFERENCES

1. Arkansas Water and Air Pollution Control Act of 1949, as amended
2. Arkansas Emergency Services Act 511 of 1973
3. Arkansas Resource Reclamation Act 1098 of 1979
4. Arkansas Hazardous Waste Management Act 406 of 1979
5. Arkansas Emergency Response Fund Act 452 of 1985
6. Arkansas Remedial Action Trust Fund Act 479 of 1985
7. Federal Water Pollution Control Act - Public Law 92-500
8. Federal Clean Air Act of 1977, as amended - Public Law 95-95
9. Disaster Relief Act of 1974 - Public Law 93-288
10. Title III of the Superfund Amendment and Reauthorization Act of 1986, as amended
11. Arkansas Hazardous and Toxic Materials Emergency Notification Act 917 of 1991

12. Arkansas Solid Waste Management Act of 1971, as amended
13. Surface Coal Mining and Reclamation Act 134 of 1979, as amended
14. Arkansas Open-Cut Land Reclamation Act 827 of 1991
15. Arkansas Quarry Operation, Reclamation and Safe Closure Act 1166 of 1997
16. Arkansas Regulated Storage Tank Registration and Licensing Act 172 of 1989
17. Arkansas Petroleum Storage Tank Trust Fund Act 173 of 1989

X. LIST OF TABS